



Defendant consulted the calendar recently, was reminded that there is an upcoming case management conference, and scrambled to adjourn the conference.

Had Defendant paid proper attention to this case, it would have reviewed the Court's April 1, 2020 Initial Case Management Conference Order, which ordered Defendant to file the parties' proposed case management plan on June 23, 2020. *See* ECF 12 (ordering "[D]efendants shall file the Proposed Case Management Plan on ECF one week [before] the scheduled conference on *June 23, 2020* and mail a copy to Plaintiff.") (emphasis added). This would have required Defendant to meet and confer with the *pro se* Plaintiff well in advance of next week's conference, which it clearly failed to do.

Further, Defendant's request to adjourn the ICMC until after a decision on the motion to dismiss is decided is essentially a request to stay discovery. "A motion to dismiss does not automatically stay discovery," and "discovery should not be routinely stayed simply on the basis that a motion to dismiss has been filed." *Hong Leong Fin. Ltd (Singapore) v. Pinnacle Performance Ltd.*, 297 F.R.D. 69, 72 (S.D.N.Y. 2013); *see also Medina v. City of New York*, No. 19-cv-9412 (AJN), 2020 WL 3050971, at \*2 (S.D.N.Y. June 8, 2020) (denying the City of New York's motion to stay). A party seeking a stay must make a "showing of good cause," which generally requires a *strong* showing that a motion to dismiss the case in its entirety would be granted." *O'Sullivan v. Deutsche Bank AG*, No. 17-cv-8709 (LTD) (GWG), 2018 WL 1989585, at \*3 (S.D.N.Y. Apr. 26, 2018). Defendant has proffered no reasons for a stay.

Defendant is directed to mail a copy of this Order to Plaintiff and serve a copy of this Order and ECF 22 *before June 29, 2020*. Defendant is further directed to file proof of such service on the docket.

The Clerk of Court is directed to close ECF 22.

**SO ORDERED.**

Dated: June 26, 2020  
New York, New York

s/ Ona T. Wang  
**Ona T. Wang**  
United States Magistrate Judge